

## Message Text

CONFIDENTIAL

PAGE 01 CAPE T 00656 01 OF 03 291452Z  
ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 SSO-00 NSCE-00 USIE-00  
INRE-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03  
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 DHA-02  
OMB-01 TRSE-00 AID-05 EB-08 /091 W  
-----291536Z 052065 /44

O 291250Z APR 77  
FM AMEMBASSY CAPE TOWN  
TO SECSTATE WASHDC IMMEDIATE 6017  
INFO AMEMBASSY BONN  
AMEMBASSY DAR ES SALAAM  
AMEMBASSY GABORONE  
AMEMBASSY LAGOS  
AMEMBASSY LONDON  
AMEMBASSY LUSAKA  
AMEMBASSY MAPUTO  
AMEMBASSY OTTAWA  
AMEMBASSY PARIS  
AMEMBASSY PRETORIA  
USMISSION USUN NEW YORK IMMEDIATE

C O N F I D E N T I A L SECTION 1 OF 3 CAPE TOWN 0656

E.O. 11652: GDS  
TAGS: PFOR, SF, US, XA  
SUBJECT: NAMIBIA TALKS

REF: CAPE TOWN 0650

1. SUMMARY. THIS MORNING THE CONTACT GROUP PRESENTED TO VORSTER AND BOTHA ANOTHER SET OF TALKING POINTS. THESE SUMMARIZED OUR UNDERSTANDING OF WHAT WE HAVE COVERED TO DATE, INCLUDING OUR POSITION ON THE TOPICS WE HAVE DISCUSSED AND WHAT WE BELIEVE TO BE THE SOUTH AFRICAN POSITION ON THE SAME MATTERS. VORSTER WILL CONSIDER THESE AND RESPOND AT MEETING LATER TODAY  
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PAGE 02 CAPE T 00656 01 OF 03 291452Z

(APRIL 29). BEFORE ADMOURNING, HOWEVER, HE BROUGHT UP THE SUBJECT OF WHO WOULD ASSUME, AFTER INDEPENDENCE, THE BURDEN OF CERTAIN FINANCIAL AND OTHER PRACICAL RESPONSIBILITIES NOW BORNE BY SAG. CG RESPONDED THAT THIS WOULD HAVE TO BE WORKED OUT BY SAG AND OTHERS DURING FUTURE NEGOTIATIONS.

2. CONTACT GROUP MET AGAIN WITH VORSTER, BOTHA AND FOURIE AT 11 A.M. TODAY. SPEAKING ON BEHALF OF THE GROUP, THE GERMAN AMBASSADOR MADE THE FOLLOWING POINTS WHICH CG HAD WORKED OUT TOGETHER BEFORE THE MEETING:

3. APRIL 29, 1977

AS WE DID YESTERDAY, WE THOUGHT IT USEFUL TO REVIEW OUR DISCUSSIONS THUS FAR IN THE LIGHT OF THE THREE OBJECTIVES WHICH WE SET FORTH IN OUR INITIAL PRESENTATION. WE BELIEVE IT PARTICULARLY IMPORTANT TO DO SO NOW IN ORDER TO INSURE THAT OUR REPORTS TO OUR GOVERNMENTS AND ANH NUTURE DISCUSSIONS WE MAY HAVE WITH THE SOUTH AFRICAN GOVERNMENT OR THE OTHER PARTIES INVOLVED WILL REFLECT OUR DISCUSSIONS AS ACCURATELY AS POSSIBLE.

AT THE SAME TIME WE RECOGNIZE THE ILLUSTRATIVE NATURE OF OUR DISCUSSIONS AND THE NEED TO ADD GREATER SPECIFICITY TO SOME POINTS.

OBJECTIVE NUMBER ONE

IT IS AGREED THAT THE PURPOSE OF FUTURE NEGOTIATIONS SHOULD BE TO DEVELOP AN INTERNATIONALLY ACCEPTABLE SETTLEMENT ON THE NAMIBIAN ISSUE CONSISTENT WITH RESOLUTION 385. THERE ARE A VARIETY OF WAYS IN WHICH THE ESSENTIAL ELEMENTS OF RESOLUTION 385 CAN BE IMPLEMENTED. IT IS ALSO AGREED THAT POSSIBLE WAYS OF IMPLEMENTING THESE ELEMENTS MIGHT BE AS FOLLOWS:

CONFIDENTIAL

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PAGE 03 CAPE T 00656 01 OF 03 291452Z

(1) ELECTIONS. THERE WOULD BE ELECTIONS, ON THE BASIS OF UNIVERSAL SUFFRAGE, FOR A CONSTITUENT ASSEMBLY WHOSE TASK WOULD BE TO DRAW UP THE CONSTITUTION FOR AN INDEPENDENT NAMIBIA. VOTING WOULD BE BY SECRET BALLOT WITH PROVISION TO ENABLE FULL PARTICIPATION BY INDIVIDUALS WHO CANNOT READ OR WRITE.

(2) INTERNATIONAL INVOLVEMENT IN ELECTIONS. SUBJECT TO FURTHER DISCUSSIONS, IT SHOULD BE POSSIBLE TO DEVELOP A SYSTEM OF UN INVOLVEMENT IN THE ELECTIONS SO AS TO ENSURE THAT ELECTIONS ARE HELD ON A FREE AND FAIR BASIS. SUCH A SYSTEM MIGHT INCLUDE A UN ELECTIONS COMMISSIONER, SUPPORTED BY THE INTERNATIONAL CIVIL SERVICE OF THE SECRETARIAT AND APPOINTED BY THE SECRETARY GENERAL. DISPUTES MIGHT BE SETTLED BY AN INDEPENDENT COMMISSION OF JURISTS APPOINTED BY THE SECRETARY GENERAL WHICH COULD INCLUDE SOUTH AFRICAN JURISTS. UN CONDUCT OF ELECTIONS ELSEWHERE MIGHT SERVE AS A GUIDE. WE SHOULD LIKE TO UNDERSCORE THE ILLUSTRATIVE NATURE OF THESE

PROVISIONS.

(3) CAMPAIGN PROCESS. THE ELECTIONS COMMISSIONER WOULD ENSURE THAT NOTHING WOULD IMPEDE FULL AND OPEN PARTICIPATION, IN A PEACEFUL MANNER, BY ALL ADULT NAMIBIANS IN THE POLITICAL PROCESS. HE WOULD APPROVE THE REGULATIONS DRAWN UP FOR THE ELECTORAL PROCESS. ALL PERSONS AND ALL POLITICAL PARTIES, REGARDLESS OF POLITICAL VIEWS, WOULD BE ENABLED TO PARTICIPATE IN THE PROCESS OF POLITICAL EDUCATION AND CAMPAIGNING. THERE WOULD BE FREEDOMS OF SPEECH, PRESS AND ASSEMBLY. THE CAMPAIGN PROCESS, LIKE THE ELECTIONS THEMSELVES, WOULD BE SUPERVISED BY THE UN ELECTIONS COMMISSIONER. ELECTIONS WOULD TAKE PLACE AFTER AN APPROPRIATE PERIOD FOLLOWING INSTALLATION OF THE ELECTIONS COMMISSIONER.

CONFIDENTIAL

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PAGE 01 CAPE T 00656 02 OF 03 291504Z  
ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 SSO-00 NSCE-00 INRE-00  
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OMB-01 TRSE-00 AID-05 EB-08 /091 W  
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O 291250Z APR 77

FM AMEMBASSY CAPE TOWN  
TO SECSTATE WASHDC IMMEDIATE 6018

INFO AMEMBASSY BONN

AMEMBASSY DAR ES SALAAM

AMEMBASSY GABORONE

AMEMBASSY LAGOS

AMEMBASSY LONDON

AMEMBASSY LUSAKA

AMEMBASSY MAPUTO

AMEMBASSY OTTAWA

AMEMBASSY PARIS

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C O N F I D E N T I A L SECTION 2 OF 3 CAPE TOWN 0656

(4) RETURNEES. ALL PERSONS BORN IN OR RECOGNIZED AS INHABITANTS OF NAMIBIA WHO ARE NOT NOW IN NAMIBIA WOULD BE ENABLED TO RETURN AND PARTICIPATE IN THE POLITICAL PROCESS. RETURNEES WOULD BE EXPECTED TO

PARTICIPATE IN PEACE.

(5) TRANSFER OF POWER. IN CONSULTATION WITH THOSE MAINLY INVOLVED, THE SAG WOULD DEVELOP A PLAN FOR ITS WITHDRAWAL IN STAGES FROM NAMIBIA TO PREPARE A SMOOTH TRANSFER OF POWER AT THE END OF THE POLITICAL PROCESS.

ELEMENTS OF SECURITY COUNCIL RESOLUTION 385 ON WHICH NO AGREEMENT HAS BEEN REACHED  
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PAGE 02 CAPE T 00656 02 OF 03 291504Z

(1) DETAINEES AND POLITICAL PRISONERS. WE SUGGESTED THAT ALL POLITICAL PRISONERS BE RELEASED AND THAT IN CASE OF A DISPUTE AS TO WHO IS A POLITICAL PRISONER, THE DISPUTE WOULD BE DECIDED BY THE COMMISSION OF JURISTS. THE SAG RESPONDED THAT IT COULD RELEASE DETAINEES BUT WOULD NOT RELEASE PERSONS SENTENCED BY COURTS FOR CRIMINAL ACTS. CLEARLY, THERE IS A DIFFERENCE ON WHAT CONSTITUTES POLITICAL PRISONERS AND SINCE THIS IS A MAJOR ELEMENT OF RESOLUTION 385, WE WILL HAVE TO HAVE FURTHER DISCUSSIONS ON IT.

(2) LEGISLATION AND REGULATIONS. WE SUGGESTED THAT SOUTH AFRICA WAIVE THE APPLICATION OF ALL LEGISLATION AND REGULATIONS WHICH MIGHT IMPEDE THE FULL PARTICIPATION OF ALL NAMIBIANS IN THE POLITICAL PROCESS. THE SAG SUGGESTED THAT SOME OF THIS WOULD BE TAKEN CARE OF BY THE REGULATIONS FOR THE ELECTORAL PROCESS. THE FIVE WILL REVIEW LEGISLATION AND REGULATIONS AND SUGGEST TO THE SAG THOSE WHICH IN OUR VIEW WOULD NEED TO BE CHANGED.

OBJECTIVE NUMBER TWO

(1) WE TAKE IT FROM THESE TALKS AND FROM THE NEED TO EXPLORE FURTHER SOME OF THE POINTS DISCUSSED THAT WE SHOULD IN DUE COURSE ESTABLISH A PROCESS FOR CONTINUED DISCUSSIONS WITH THE SAG. SINCE THERE ARE ADDITIONAL PARTIES CONCERNED, WE WILL ALSO NEED TO HAVE DISCUSSIONS WITH THEM.

OBJECTIVE NUMBER THREE

(2) WE EXPRESSED CONCERN THAT ALL PARTIES IN THE NEGOTIATIONS AVOID STEPS WHICH MIGHT FORECLOSE POSSIBILITIES OF ARRANGING AN INTERNATIONALLY ACCEPTABLE SOLUTION. IN THIS REGARD WE EMPHASIZED THE SERIOUS CONSEQUENCES WHICH MIGHT FOLLOW FROM THE IMPLEMENTATION OF THE TURNHALLE DRAFT CONSTITUTION.  
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PAGE 03 CAFE T 00656 02 OF 03 291504Z

(3) THE SAG HAS SUGGESTED THAT IT MIGHT NOT SUBMIT THE TURNHALLE CONSTITUTION TO THE PARLIAMENT. AT THE SAME TIME THE PRIME MINISTER IS COMMITTED TO THE RETURN OF SOME OF THE RESPONSIBILITIES NOW EXERCISED BY THE SAG TO A CENTRAL ADMINISTRATIVE AUTHORITY FOR NAMIBIA. THIS MIGHT BE DONE BY A SOUTH AFRICAN LAW WHICH AUTHORIZED THE STATE PRESIDENT TO ESTABLISH SUCH AN AUTHORITY. DETAILED PLANS FOR SUCH AN AUTHORITY HAVE NOT BEEN COMPLETED. HOWEVER, IT WOULD NOT BE THE TURNHALLE INTERIM GOVERNMENT BY ANOTHER NAME. ULTIMATE POWERS WOULD BE RESERVED TO SOUTH AFRICA; HOWEVER, THE CENTRAL AUTHORITY WOULD BE EMPOWERED TO REPEAL DISCRIMINATORY AND OTHER LEGISLATION.

(4) THE FIVE SAID THAT THEY COULD OFFER NO CONSIDERED VIEWS ABOUT THE EXTENT TO WHICH THE PROPOSAL MIGHT COMPLICATE THEIR TASK WITHOUT MORE INFORMATION ON THE PROPOSED ADMINISTRATIVE RE-ARRANGEMENTS. ADMINISTRATIVE RE-ARRANGEMENTS IN LINE WITH, OR SEEN TO BE IN LINE WITH, THE SUBSTANTIVE CONTENT OF TURNHALLE WOULD SURELY FURTHER COMPLICATE THE SEARCH FOR AN INTERNATIONALLY ACCEPTABLE SOLUTION. THE FIVE SAID THAT IT WOULD BE USEFUL TO HAVE THE ADDITIONAL INFORMATION AT AN EARLY DATE.

CONFIDENTIAL

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PAGE 01 CAFE T 00656 03 OF 03 291509Z  
ACTION AF-10

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OMB-01 TRSE-00 AID-05 EB-08 /091 W  
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O 291250Z APR 77  
FM AMEMBASSY CAPE TOWN  
TO SECSTATE WASHDC IMMEDIATE 6019  
INFO AMEMBASSY BONN  
AMEMBASSY DAR ES SALAAM  
AMEMBASSY GABORONE  
AMEMBASSY LAGOS  
MEMBASSY LONDON 1775

AMEMBASSY LUSAKA  
AMEMBASSY MAPUTO  
AMEMBASSY OTTAWA  
AMEMBASSY PARIS  
AMEMBASSY PRETORIA  
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C O N F I D E N T I A L SECTION 3 OF 3 CAPE TOWN 0656

4. RESPONDING, VORSTER SAID HE WOULD NEED TIME TO STUDY WHAT WE HAD PRESENTED AND SUGGESTED ADJOURNMENT UNTIL LATER IN THE DAY. HE WENT ON TO SAY, HOWEVER, THAT HE WANTED TO BRING UP SOMETHING NOT MENTIONED IN CG TALKING POINTS. HE SAID HE WAS COMMITTED TO ESTABLISHING, IN ADDITION TO A CENTRAL ADMINISTRATIVE AUTHORITY, REGIONAL GOVERNMENTS FOR THOSE PEOPLE OF SWA WHO DO NOT NOW HAVE LOCAL AUTHORITY (I.E., DAMARAS, HEREROS).

5. COMMENT: THIS IS BOUND TO MUDDY THE WATERS, BUT WE CANNOT JUDGE TO WHAT EXTENT THIS COULD MAKE IT MORE DIFFICULT TO PROGRESS FURTHER TOWARD A NEGOTIATED  
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PAGE 02 CAPE T 00656 03 OF 03 291509Z

SETTLEMENT. DAMAGE, OR RELATIVE ABSENCE OF IT, COULD DEPEND ON THE FORM AND COMPOSITION OF THE CENTRAL ADMINISTRATIVE AUTHORITY WHEN IT IS ESTABLISHED.  
END COMMENT.

6. VORSTER AND BOTHA THEN WENT ON AT SOME LENGTH, AND WITH CONSIDERABLE VEHEMENCE ABOUT SOME PRACTICAL PROBLEMS ASSOCIATED WITH SAG WITHDRAWAL FROM THE TERRITORY. THEIR ARGUMENT CENTERED ON: IF SOUTH AFRICA IS GOING TO BE "CHASED OUT" OF NAMIBIA BY THE UN, SOUTH AFRICAN VOTERS WILL NOT STAND FOR IT IF THEY ARE ASKED TO CONTINUE TO PAY FOR SERVICE WHICH SAG NOW PROVIDING TO THE TERRITORY. VORSTER IMPLIED THAT SAG MIGHT, IF PRESSED, WITHDRAW IMMEDIATELY, CAUSING A BREAKDOWN OF ESSENTIAL SERVICES. HE SAID THAT IF THE UN IS GOING TO ASSUME RESPONSIBILITY, IT SHOULD PROVIDE FOR A "TRUST FUND" SUCH AS THA BEING PROVIDED FOR RHODESIA. A DECISION ON INTERNATIONAL FINANCIAL SUPPORT FOR NAMIBIA COULD NOT BE POSTPONED.

7. CG MEMBERS STATED THAT WE WOULD TAKE NOTE OF WHAT VORSTER HAD RAISED. WE POINTED OUT, HOWEVER, THAT WE HAD ASSUMED THAT THIS MATTER WOULD BE ADDRESSED IN A PLAN FOR WITHDRAWAL PREPARED BY THE SAG AND TAKEN UP IN FUTURE NEGOTIATIONS. WE THEN AGREED THAT WE WOULD ADD THE FOLLOWING AT THE END OF THE FIFTH TALKING

POINT (TRANSFER OF POWER) WHICH WE HAD JUST PRESENTED:  
"THIS PLAN WILL CLEARLY HAVE A NUMBER OF FINANCIAL AND  
PRACTICAL IMPLICATIONS WHICH WILL HAVE TO BE CON-  
SIDERED AT THE APPROPRIATE TIME."

8. COMMENT. THIS OBVIOUSLY IS AN IMPORTANT PART OF  
A TRANSFER OF POWER AND WILL HAVE TO BE WORKED OUT  
IN THE PROCESS OF REACHING A SETTLEMENT. VORSTER AND  
BOTH A EXPRESSED THEIR CONCERN ABOUT THIS MATTER WITH A  
CERTAIN AMOUNT OF BLUSTER. WE THINK THEY INTRODUCED  
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PAGE 03 CAPE T 00656 03 OF 03 291509Z

IT INTO THE RECORD AS MUCH OR MORE FOR DOMESTIC  
POLITICAL PURPOSES THAN FOR CONCERN ABOUT CONTINUING TO  
MEET FINANCIAL AND OTHER OBLIGATIONS THE SAG HAS REGARDING  
THE TERRITORY. END COMMENT.

9. WE WILL RESUME OUR MEETING WITH VORSTER, BOTH A AND  
FOURIE AT 3 P.M.BOWDLER

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## Message Attributes

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